



INTERNATIONAL TRADE COMMISSION

Investigation No. 337-TA-892

Certain Point-to-Point Network Communication Devices and Products Containing Same; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 1, 2013, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Straight Path IP Group, Inc. of Glen Allen, Virginia. A letter supplementing the Complaint was filed on August 21, 2013. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain point-to-point network communication devices and products containing same by reason of infringement of U.S. Patent No. 6,009,469 (“the ‘469 patent”); U.S. Patent No. 6,108,704 (“the ‘704 patent”); and U.S. Patent No. 6,131,121 (“the ‘121 patent”); and that an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337.

The complaint requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-

1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2013).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on September 3, 2013, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain point-to-point network communication devices and products containing same by reason of infringement of one or more of claims 1-3, 9, 10, 17, and 18 of the '469 patent; claims 1, 11, 12, 19, 22, 23, and 30 of the '704 patent; and claims 6 and 13 of the '121 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as

appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(1), (f)(1), and (g)(1);

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Straight Path IP Group, Inc.

5300 Hickory Park Drive, Suite 218

Glen Allen, VA 23059

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

AmTran Logistics, Inc.

9 Goddard

Irvine, CA 92618

AmTran Technology Co., Ltd.

17f, 268, Lien Cheng Road

23553 New Taipei City

Taiwan

LG Electronics, Inc.

LG Twin Towers

20, Yeouido-dong, Yeongdeungpo-gu,

Seoul, 157-721,
Republic of Korea

LG Electronics U.S.A., Inc.
1000 Sylvan Avenue
Englewood Cliffs, NJ 07632

LG Electronics MobileComm U.S.A., Inc.
10101 Old Grove Road
San Diego, CA 92131

Panasonic Corporation
1006, Oaza Kadoma
Kadoma-shi
Osaka, 571-8501
Japan

Panasonic Corporation of North America
One Panasonic Way
Secaucus, NJ 07094

Sharp Corporation
22-22 Nagaike-cho

Abenko-Ku, Osaka 545-8522

Japan

Sharp Electronics Corporation

1 Sharp Plaza

Mahwah, NJ 07495

Sony Computer Entertainment, Inc.

1-7-1 Konan

Minato-ku

Tokyo 108-0075

Japan

Sony Computer Entertainment America Inc.

919 East Hillsdale Boulevard

2nd Floor

Foster City, CA 94404

Sony Computer Entertainment America LLC

919 East Hillsdale Boulevard

2nd Floor

Foster City, CA 94404

Sony Corporation

1-7-1 Konan

Minato-ku

Tokyo 108-0075

Japan

Sony Corporation of America

550 Madison Avenue

Floor 27

New York, NY 10022-3211

Sony Electronics Inc.

16530 Via Esprillo

San Diego, CA 92127

Sony Mobile Communications AB

Nya Vattentornet

Lund, 221 88

Sweden

Sony Mobile Communications (USA) Inc.

7001 Development Drive

Research Triangle Park, NC 27709

Sony Ericsson Mobile Communications

(USA) Inc.

333 Piedmont Road NE, Suite 600

Atlanta, GA 30305-1811

Toshiba Corporation

1-1, Shibaura 1-chome

Minato-ku

Tokyo 105-8001

Japan

Toshiba America Inc.

1251 Avenue of the Americas

New York, NY 10020

Toshiba America Information Systems, Inc.

9740 Irvine Boulevard

Irvine, CA 92618-1697

Vizio, Inc.

39 Tesla

Irvine, CA 92618

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Lisa R. Barton
Acting Secretary to the Commission

Issued: September 4, 2013.

Billing Code: 7020-02

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